IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2695 OF 2005

Shri Mahesh Mehta. ...Petitioner
V/s.
Union of India & Ors. ...Respondents

WITH

CRIMINAL WRIT PETITION NO. 2696 OF 2005

Shri Mangilal Mehta. ...Petitioner
V/s.
Union of India & Ors. ...Respondents

WITH

CRIMINAL WRIT PETITION NO. 2697 OF 2005

Shri Jayesh Morakhia. ...Petitioner
V/s.
Union of India & Ors. ...Respondents

WITH

CRIMINAL WRIT PETITION NO. 2698 OF 2005

Shri Mukesh Mehta. ...Petitioner
V/s.
Union of India & Ors. ...Respondents

WITH

CRIMINAL WRIT PETITION NO. 2699 OF 2005

Shri Rikabh Mehta. ...Petitioner
V/s.
Union of India & Ors. ...Respondents

WITH

CRIMINAL WRIT PETITION NO. 2700 OF 2005

Shri Sanjay Shah. ...Petitioner
V/s.
Union of India & Ors. ...Respondents

WITH

CRIMINAL WRIT PETITION NO. 2701 OF 2005

Shri Ganpat Mehta. ...Petitioner
V/s.
Union of India & Ors. ...Respondents

Appearance in above matters :-

Mr.Kantawalla with Mr.Uday Warunjikar i/b. Mr.Yogesh Rohira, Advocate for Petitioners. .

Mr.H.V. Mehta, Advocate for Respondents No.1 and 2.

Mrs.P.H. Kantharia, APP for State in W.P.Nos.2695, 2696 and 2698 of 2005.

Smt.V.R. Bhosale, APP for State in W.P.No.2697/05.

Mrs.U.V. Kejariwal, APP for State in W.P.No.2699/05.

Mr.A.S. Gadkari, APP for State in W.P.No.2700/05.

Mr.D.S. Mhaispurkar, APP for State in W.P.No.2701/05.

CORAM : D.G. DESHPANDE AND V.M. KANADE, JJ.

DATED : DECEMBER 13, 2005

P.C. :-

. Heard the learned Advocate for the petitioners and Mr.Mehta for Respondents No.1 and 2.

. In similar matter i.e. Writ Petition No.7739/2005, the Division Bench of this Court (Coram : H.L. Gokhale & J.P. Devadhar, JJ.) passed an order on

24th November, 2005. Though the facts of those case and the facts of this case are different, looking to the issue involved, we pass the same order. In that case, the statement was made by Mr.Desai that the respondent will give necessary Show Cause Notice after completing the investigation. Mr.Mehta states that the investigation is likely to be completed by the end of March 2006. Thereafter, we direct that Show Cause Notice be given and then adjudication will be done within six months thereafter.

2. Needless to say that the petitioner will give full co-operation in investigation and subsequent adjudication. Respondent to also consider the aspect of compounding under Section 9A of the Central Excise Act, 1944. Petitioner to give the addresses of their employees as is available in the record of the petitioner. All Writ Petitions disposed of. Interim protection granted earlier to continue till the adjudication or compounding whichever is later.

(D.G. DESHPANDE, J.)

(V.M. KANADE, J.)